

JESSE BAKER, et al.,)
)
 Plaintiffs,)
 v.) No. 3:07-0638
) JUDGE ECHOLS
 SGT. MATTHEW MARSHALL, et al.,)
)
 Defendants.)

Pending before the Court are the Report and Recommendation ("R&R") entered by the United States Magistrate Judge on October 30, 2008 (Docket Entry No. 57) and Defendants' Renewed Motion To Dismiss For Failure To Prosecute (Docket Entry No. 54), to which Plaintiffs Jesse Baker, Carl Baker, and Murnie Baker did not respond. No objections to the R&R were filed.

Having carefully reviewed the file, the Court finds that no error of fact or law appears in the R&R. The recommendation to dismiss the case with prejudice for failure to prosecute, failure to participate in discovery, and failure to abide by the Court's Orders is fully supported by the record. Accordingly,

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(2) Defendants' Renewed Motion To Dismiss For Failure To Prosecute (Docket Entry No. 54) is hereby GRANTED;

(3) this case is hereby DISMISSED WITH PREJUDICE; and

(4) entry of this Order on the docket shall constitute entry of final Judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", is written over a horizontal line.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE